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Conservation Commission Minutes 09/06/2012

Arlington Conservation Commission
 Minutes
 September 6, 2012

Mr. Stevens called the meeting to order at 7:45 p.m. in the second floor conference room of the Town Hall Annex. Present were Nathaniel Stevens, David White, Charles Tirone, Eileen Coleman, Curt Connors, Chris Naylor, Catherine Garnett and Michelle Durocher of the Commission. Cori Beckwith was present briefly. Justin Quattrini was also present.

7:45 pm – Commission Business:

Connors/White motioned to approve the **8/16 minutes** with edits; motion passed unanimously.

Mr. Stevens reported that the **Symmes Woods** had been cleaned up and that the draft Forest Management Plan was being reviewed; the Commission discussed it and sought Clarissa Rowe's input. Mr. Stevens will coordinate Commission comments.

The Commission sent a letter to the owners of **22 Mill Street** concerning an old sycamore near Mill Brook, between the building and Mill Street which the Town had heard 22 Mill Street wished to remove.

8pm – **Request for Determination of Applicability** – 49 Forest St garage reconstruction

Mr. Stevens presented photos of the property taken when the Commission held a site walk prior to this meeting. A revised plan was passed out by the applicant and also e-mailed to the Commission. The Commission discussed how to enforce an RDA, Mr. Stevens said with an Enforcement Order. The applicant said that the patio paver area is already removed and silt sacks will be installed in the storm drain. The vegetative buffer needs to be removed as part of a condition and as part of this project a tree will be removed with a back hoe.

Connors/Coleman motioned to issue a negative (N3) Determination of Applicability with the following conditions; motion passed unanimously.

- Contractor will email construction schedule and updated project schedule as needed.
- Contractor will provide As-Built when finished.
- Contractor will install silt sack in catch basin in front of house before starting construction.

Other Commission Business:

Plans were passed out by Mr. Quattrini regarding the **Hemlock St** conservation land and his property and discussed by the Commission. Mr. Quattrini proposed to exchange one for one with no encroachments. Mr. Connors asked if the lot would be subdivided. The Arlington Redevelopment Board would need to review this proposal. The Subdivision Control Law was discussed. Ms. Coleman asked if the owner would install fence. It was suggested to call Bob O'Connor, Head of Land Disposition at EOEEA/DCR.

Mr. Connors asked if there existed a policy on violation. Mr. Tirone asked what are the criteria on one to one or greater with exchanging land in the EOEA 1998 Article 97 Land Disposition Policy. There are qualifications of #3 equal to market value and #5 does not detract from value. The owner read from minutes of Town Meeting 1970 and 1972, which stated that the land was put up for tax title sales two times between 1962-1973 with no buyers. It was determined in 1972 that the lot was non-buildable.

Ms. Garnett asked Julian Rice, Town Counsel, if the Town could contact EOEEA on small parcels to see if unique situations can be accommodated. Mr. Connors asked if the owner would pay costs incurred as part of this process to the Town. The Commission re-read and discussed #3 definitions in Article 97. Ms. Durocher said the lot, although small, has habitat value. A second site visit was discussed. It was stated that the proposed land on Hemlock will not add to the public's ease of access. It was suggested that the owner talk to Carol Kowalski, Planning Director.

The Commission agreed to have a site visit at 7:30am on the September 14th, which would be advertised and posted as a meeting to allow for deliberation.

Mr. Stevens presented a change to the project at **Symmes** where a retaining wall will have to be replaced by a steep slope that will intrude slightly in the conservation area, but it will be planted. The underlying soils will not support the retaining wall as previously thought. The slopes are very dry and south facing. Mr. Naylor will review and report on this proposal.

White/Connors motioned to accept the project change, but reserved the right to review the planting plan; motion passed unanimously.

The commission discussed an unpermitted shed at **64 Wright St**, a property where an RDA was recently presented to the commission and approved. During the original hearing, the commission noted that the plans presented for their upcoming project do not show a shed at the rear of their property. In order to be fair to all property owners who adhere to Town bylaws and bring such projects before the Commission, it was agreed to send a letter to the owners and ask them to attend an upcoming meeting in order to update the commission files on the true state of the property, including the presence of the shed within the 100 foot vegetated buffer zone.

A fence was put up blocking access between Water Street and Buzzell Field to the new athletic field installed by **Arlington Catholic High School**. It was suggested that Ms. Beckwith review the meeting minutes and the OOC and discuss details at the next meeting. In addition, the board needs confirmation that the contractor cleaned out the vegetation at the Cooke's Hollow end of the playing field. The commission asked if the high netting was on the original plan.

Mr. White proposed that the board invite Teresa DeBenedictis and Leslie Mayer to talk and debrief Commission on the chestnut harvesting at the **Arlington Reservoir**. The contractor does not want to access the reservoir at the old location because they broke their equipment last year. The Commission asked for a total bill on the chestnut harvesting of 2012, but was informed that the final bill was not ready yet.

Meeting adjourned at 9:30pm.

Respectfully submitted,
Charles Tirone
Member